

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
R. Eric Montgomery) Before the Examiner:
Serial No.: TBA)
Filed: Herewith) Art Unit:
For: TOOTH WHITENING COMPOSITION)

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Preliminary to examination of the above-referenced patent application, please amend the claims as follows.

In the specification:

Amend the specification by inserting before the first line of the first paragraph the following the sentence:

-- This application is a continuation of U.S. Patent No. Application Serial No. 09/196,403, filed November 19, 1998; which claims priority from U.S. Provisional Patent Application No. 60/066,187, filed November 19, 1997. --

In the claims:

1. (Amended) An oral care composition for whitening teeth comprising:

a peroxyacetic acid generating mixture including a source of peroxide and an acetic acid ester of glycerin, wherein the source of peroxide and the acetic acid ester of glycerin are dispersed within an anhydrous carrier.

Please delete claim 2 without prejudice to the filing of any appropriate continuation application.

3. (Amended) The composition of claim 3 wherein the acetic acid ester of glycerin is selected from the group consisting of glyceryl triacetate, glyceryl diacetate and glyceryl acetate.

5. (Amended) A composition according to claim 1 capable of providing an oral pH of more than 5.2 to generate peroxyacetic acid.

18. (Amended) A composition for producing peroxyacetic acid for use in whitening teeth, the composition comprising a two component system including:

a first aqueous component including hydrogen peroxide and

a second component including glyceryl triacetate.

19. (Amended) A method for whitening teeth comprising:
forming a composition having an oral pH in excess of about 5.2 by combining a hydrogen peroxide precursor, glyceryl triacetate, and water so as to generate peroxyacetic acid; and
applying the composition to a tooth surface.

22. (Amended) A method for cosmetically treating teeth comprising the steps of:
applying a source of labile acetyl groups onto the surface of a tooth;
allowing the source of labile acetyl groups to penetrate into the tooth;
applying a source of peroxide onto the surface of the tooth;
allowing the source of labile acetyl groups to react with the source of peroxide to generate a peroxyacid within the tooth; and
allowing the peroxyacid to effect whitening of the tooth.

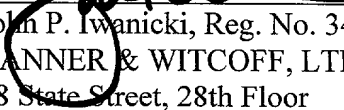
REMARKS

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned "Version of Amendments with Markings to Show Changes Made."

Applicant request that the amendments enclosed herein be considered preliminary to examination. The Commissioner is authorized to apply or credit any fees to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: April 24, 2001



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Version of Amendments with Markings to Show Changes Made

1. (Amended) An oral care composition for whitening teeth comprising:
a peroxyacetic acid generating mixture including a source of peroxide and [source of labile acyl groups] an acetic acid ester of glycerin, wherein the source of [labile acyl groups] is a C₁-C₅ molecule having between 1 to 5 labile C₁-C₅ acyl containing groups] peroxide and the acetic acid ester of glycerin are dispersed within an anhydrous carrier.

Please delete claim 2 without prejudice to the filing of any appropriate continuation application.

3. (Amended) The composition of claim 3 wherein the acetic acid ester of glycerin [source of labile acyl groups] is selected from the group consisting of glyceryl triacetate, glyceryl diacetate and glyceryl acetate.

5. (Amended) A composition according to claim 1 capable of providing an oral pH of more than [5.0] 5.2 to generate peroxyacetic acid.

18. (Amended) A composition for producing peroxyacetic acid for use in whitening teeth, the composition comprising a two component system including:

a first aqueous component including [a] hydrogen peroxide [releasing compound] and
a second component including glyceryl triacetate.

19. (Amended) A method for whitening teeth comprising:
forming a composition having an oral pH in excess of about 5.2 by combining a hydrogen peroxide precursor, glyceryl triacetate, and water so as to generate peroxyacetic acid; and
applying the composition to a tooth surface.

22. (Amended) A method for cosmetically treating teeth comprising the steps of:
applying a source of labile acetyl groups onto the surface of a tooth;
allowing the source of labile acetyl groups to penetrate into the tooth;
applying a source of peroxide onto the surface of the tooth;
allowing the source of labile acetyl groups to react with the source of peroxide [anion] to
generate a peroxyacid within the tooth; and
allowing the peroxyacid to effect whitening of the tooth.